

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 453

September 20, 1995, 7:03 p.m.  
Page S-13942 Temp. Record

## FOREIGN OPERATIONS APPROPRIATIONS/Vietnam Financial Aid Conditions

**SUBJECT:** Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1996 . .  
. H.R. 1868. Smith amendment No. 2723 to the committee amendment on page 11, lines 8-10.

### ACTION: AMENDMENT REJECTED, 39-58

**SYNOPSIS:** As reported, H.R. 1868, the Foreign Operations, Export Financing, and Related Programs Appropriations Bill for fiscal year 1996, will provide \$12.34 billion in new budget authority for foreign aid programs in fiscal year (FY) 1996. This amount is \$2.43 billion below the President's request, and \$1.19 billion below the FY 1995 appropriated amount. The committee amendment on page 11, lines 8-10 would restrict funding for Zaire.

**The Smith amendment** to the committee amendment on page 11, lines 8-10 would prohibit using funds from this Act to grant the Socialist Republic of Vietnam most-favored nation (MFN) trading status or to extend it financing or other financial assistance from the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency unless the President:

- provided Congress with the original case-by-case analytical assessments on unaccounted for American servicemen from the Vietnam conflict;
- certified to Congress that Vietnam was cooperating fully with efforts: to recover and repatriate American remains; to resolve live sightings, discrepancy cases, and field activities; to assist in implementing trilateral efforts with the Lao; and to accelerate efforts to provide all documents that would help in resolving cases;
- certified to Congress, after consultation with the Central Intelligence Agency, that Vietnam was being fully forthcoming in providing access to official documents pertaining to missing servicemen; and
- certified to Congress that Vietnam was making substantial progress in addressing United States' concerns about the continued suppression of the nonviolent pursuit of democratic freedoms by the people of Vietnam.

**Those favoring** the amendment contended:

(See other side)

YEAS (39)			NAYS (58)			NOT VOTING (3)	
Republicans (33 or 62%)	Democrats (6 or 14%)		Republicans (20 or 38%)	Democrats (38 or 86%)		Republicans (1)	Democrats (2)
Abraham	Helms	Byrd	Ashcroft	Akaka	Johnston	Hatfield- <sup>3AN</sup>	Biden- <sup>2</sup>
Brown	Hutchison	Conrad	Bennett	Baucus	Kennedy		Rockefeller- <sup>2</sup>
Campbell	Inhofe	Dorgan	Bond	Bingaman	Kerrey		
Coats	Kempthorne	Feingold	Burns	Boxer	Kerry		
Cohen	Kyl	Moseley-Braun	Chafee	Bradley	Kohl		
Coverdell	Lott	Wellstone	Cochran	Breaux	Lautenberg		
Craig	Mack		Domenici	Bryan	Leahy		
D'Amato	Nickles		Frist	Bumpers	Levin		
DeWine	Santorum		Gorton	Daschle	Lieberman		
Dole	Shelby		Jeffords	Dodd	Mikulski		
Faircloth	Smith		Kassebaum	Exon	Moynihan		
Gramm	Snowe		Lugar	Feinstein	Murray		
Grams	Stevens		McCain	Ford	Nunn		
Grassley	Thomas		McConnell	Glenn	Pell		
Gregg	Thompson		Murkowski	Graham	Pryor		
Hatch	Thurmond		Packwood	Harkin	Reid		
	Warner		Pressler	Heflin	Robb		
			Roth	Hollings	Sarbanes		
			Simpson	Inouye	Simon		
			Specter				

#### EXPLANATION OF ABSENCE:

- 1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

- AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

The Smith amendment should pass overwhelmingly. It would simply block the American taxpayers's money from being given to Vietnam in the form of trade assistance unless a few modest conditions were first met. First, the President would have to provide Congress with the Defense Department's case-by-case analyses of Vietnam prisoner-of-war/missing-in-action (POW/MIA) cases. The President is already required by law to provide those analyses, but he has yet to comply. Second, it would require the President to certify that Vietnam was being fully forthcoming in the 4 areas on POW/MIAs that the President himself set forth as the areas on which progress must be made in order for relations to continue to improve. The President has already said relations will depend on these areas; it should not be controversial to have him stick by his word. Third, it would require the President to certify that Vietnam was providing full access to relevant portions of Central Committee documents. Vietnam supposedly is being fully cooperative. Therefore, there is no reason for it not to provide this documentation. Finally, the President would be required to certify that Vietnam was making progress in ending the suppression of the nonviolent pursuit of democratic freedoms. Vietnam viciously oppresses democratic freedoms. Many of its own citizens, and even some American citizens, are currently in jail in Vietnam for their nonviolent pursuit of democratic freedoms. We should not give aid to a country that locks up Americans for standing up for the principles upon which America is based.

Our main reason we are offering this amendment is to make certain that President Clinton does not neglect the POW/MIA issue. Since he has been in office, he has taken five major steps to improve relations with Vietnam. First, he has ended United States' objections to Vietnam's access to International Monetary Fund (IMF) loans. Second, he has allowed United States companies to bid on internationally financed development projects in Vietnam. Third, he has ended the U.S. trade embargo. Fourth, he has allowed Vietnam and the United States to open liaison offices in their respective capitals. Fifth, and finally, he has normalized diplomatic relations. Our concern throughout this process is that the President has not been appropriately concerned with finding and recovering any live Americans still held prisoner or with finding and recovering the remains of those POW/MIAs who died in Vietnam in service to their country. Throughout this process no real progress has been made on finding the thousands of Americans who are still missing. Though we have repeatedly urged President Clinton not to improve relations without making concrete gains on this issue, he has ploughed ahead. Every new action has reduced the possibility of leverage and has increased the chances that the fate of these POW/MIAs will never be known. We have very little leverage left. The Smith amendment would put very reasonable restrictions on aid to this communist nation in an effort to resolve the remaining 2,198 POW/MIA cases. We urge Senators to give it their support.

**Those opposing the amendment contended:**

We oppose the Smith amendment in defense of American interests, not Vietnamese interests. We understand and commend our colleagues' zeal on this matter, but we respectfully submit that they are wrong. The war in Vietnam is over; it is time to quit fighting it on the Senate floor. President Clinton was right to normalize relations. Attempting to ostracize Vietnam when all other countries are willing to have normal relations hurts the United States more than it does Vietnam. Further, our colleagues who tell us that we have lost leverage by normalizing relations are simply wrong. The normalization of relations has led to immense levels of cooperation. Eight sets of remains have been identified and returned to the United States, 116 additional wartime records have been handed over, and our 37th joint field operation with the Vietnamese to find remains is currently underway and yielding good results. We ask our colleagues, if the United States fought a protracted war on its soil, would it after the war go on expedition after expedition with its former enemy to try to find and dig up remains of its former enemy's soldiers? Every military commander with whom we have met, both in public and private and at all ranks, has assured us that Vietnam is doing everything within its power and then some to help. Of course, Vietnam is not being helpful out of the goodness of its heart; it understands the value of a strong trade relationship with the United States. It is willing to go to this trouble and expense because it knows it will reap benefits many times over by having good relations with the United States. What it does not know, but what we know from experience, is that moving it into the modern world economically will also build new power centers in Vietnam and unleash democratic forces within it, eventually leading to the end of communism. U.S. guns failed to bring freedom to Vietnam, but the U.S. dollar will someday succeed. Our colleagues sincerely believe that their policy of confrontation, of continuing to fight the war with Vietnam, will yield the best results. We emphatically disagree; the President is pursuing the proper policy. This amendment should therefore be rejected.